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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

YARON GISSIN, Individually and on Behalf	:	
of All Those Similarly Situated,	:	
	:	
	:	No. 09 CV 9338 (SAS)
Plaintiff,	:	
	:	ORAL ARGUMENT REQUESTED
v.	:	
	:	
DONALD L. ENDRES, DANNY C. HERRON and	:	
BRYAN D. MEIER,	:	
	:	
Defendants.	:	

DEFENDANTS' NOTICE OF MOTION TO DISMISS
THE CONSOLIDATED CLASS ACTION COMPLAINT

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and all other papers herein, defendants Donald L. Endres, Danny C. Herron, and Bryan D. Meier ("Defendants") will move this Court, at the Daniel Patrick Moynihan United States Courthouse located at 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, for an order, pursuant to Federal Rules of Civil Procedure 8(a), 9(b), and 12(b)(6) and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §§ 78u-4 & 78u-5, dismissing with prejudice all claims in the Consolidated Class Action Complaint against Defendants. The basis for this motion is set forth in the accompanying Memorandum of Law, the Declaration of Michael G. Bongiorno, and the exhibits thereto.

Dated: New York, New York
April 29, 2010

Respectfully submitted,

WILMER CUTLER PICKERING
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